



**Commonwealth of Massachusetts Executive Department  
Office of Governor Deval L. Patrick  
Press Release**

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**PATRICK ADMINISTRATION, ACCESS TO JUSTICE  
COMMISSION ANNOUNCE BEST PRACTICE GUIDE  
FOR ADMINISTRATIVE JUSTICE IN STATE  
GOVERNEMENT**

*Guide will solidify best practices within state government to enhance administrative justice for people across the Commonwealth*

BOSTON – Thursday, December 11, 2014 – The Patrick Administration and the Massachusetts Access to Justice Commission today announced a [set of best practices](#) to ensure that all residents in the Commonwealth have access to administrative justice within state government. These best practices represent many policies and practices already in place across state government, as well as some newly identified areas of enhancement.

"I am proud of my Administration's work to ensure access to justice for all," said Governor Deval Patrick. "These best practices reflect the vital role our state agencies can and do play in ensuring the fair and equal administration of that justice. I am grateful for the work of the Access to Justice Commission and those who provide pro bono legal services."

"The Access to Justice Commission has long recognized that a great deal of justice occurs in administrative agencies, and that access to administrative justice is as vital as access to justice in our courts, said Chief Justice of the Massachusetts Supreme Judicial Court Ralph D. Gants. "The implementation of these Best Practices will improve the fairness and accessibility of administrative justice in the Commonwealth and should serve as a model for every state in the nation."

[The Massachusetts Access to Justice Commission](#) is appointed by the Supreme Judicial Court and charged with the mission of providing leadership, vision and coordination to the search for "equal justice for all persons in the Commonwealth." Recognizing that administrative justice is a vital component of ensuring the overall access to justice, the Commission worked closely with the Patrick Administration to develop a set of best practices that will serve as a guidepost going forward for how state government can best serve the people it represents.

The guide sets forth the following best practices for state agencies that provide public benefits:

- If a benefits application lacks information necessary for the agency to make a proper determination of benefits to which the applicant might be entitled, the agency shall provide each applicant with a reasonable opportunity to obtain such information;
- If a benefits application contains inconsistent information that hinders the agency's ability to make a proper determination of benefits to which the applicant might be entitled, the agency shall provide each applicant with a reasonable opportunity to correct such inconsistencies before the application is denied;
- If the agency denies an application for benefits, the agency shall provide the applicant with timely notice in writing of such denial, which shall include the basis for the denial and a description of the administrative process to appeal the agency's determination;
- If the agency terminates or suspends benefits for any reason, the agency shall, before such termination or suspension is effective, inform the impacted beneficiary in writing of the reason(s) for the proposed action and provide the beneficiary an opportunity to respond. Once the termination or suspension of benefits becomes an agency determination, the beneficiary shall be provided a description of the administrative process to appeal the determination;
- Any communication between the agency and an applicant for benefits or current beneficiary shall be done in a clear manner and in a language understandable to the applicant or beneficiary, all in compliance with [Executive Office for Administration and Finance Bulletin 16](#);
- Any applicant or beneficiary may bring a representative to assist them during any review hearing and that representative need not be an attorney;
- Agencies shall take any and all steps to ensure that their "client services" or "problem resolution" offices act in accordance with these practices; and

"Many of the legal issues confronting low income Massachusetts residents arise and are resolved in the state's administrative agencies. Assuring fairness and justice is a critical function of agency staff," said Jacquelynne Bowman, Executive Director of Greater Boston Legal Services. "These Best Practices, and the effective operation of the agency client services and problem resolution offices in ensuring compliance with them, are an important development. Together with the increased appropriations for civil legal aid called for by the recent Boston Bar Association Statewide Task Force, they will make a major contribution to access to justice."

In order to ensure these best practices continue to be utilized and enforced, these guidelines will be posted on the state website and made available to individuals at all client services and problem resolution offices across the state. The Executive Office for Administration and Finance, in collaboration with the Governor's Office of Legal Counsel, will ensure compliance with these practices.

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